

REMARKS

Claims 1 and 3-41 are pending in this application. Claims 3-4 have been canceled without prejudice or disclaimer, and claim 1 has been amended by the present Amendment. Amended claim 1 does not add new matter.

Claims 26-36 have been withdrawn from consideration pursuant to 37 C.F.R. § 1.142(b) as being non-elected, and have been canceled without prejudice or disclaimer by the present Amendment.

ALLOWED CLAIMS AND ALLOWABLE SUBJECT MATTER

Applicant gratefully acknowledges the Examiner's indication that claims 7-25, 38, 40 and 41 are allowed and that claim 4 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REJECTIONS UNDER 35 U.S.C. §§ 102 and 103

Reconsideration is respectfully requested of the rejections of: (1) claims 1, 5, 6 37 and 39 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2003/0227591 ("Liu"); and (2) claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of U.S. Patent No. 6,784,965 ("Kim").

In order to place the application in condition for allowance, Applicant has rewritten allowable claim 4 including the limitations of intervening claim 3 in the form of amended claim 1. By virtue of this amendment, Applicant is not conceding in this application that the amended and canceled claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in

one or more continuations and/or divisional patent applications.

Applicant submits that claim 1 is in condition for allowance. For at least the reason that claims 5, 6, 37 and 39 depend from claim 1, claims 5, 6, 37 and 39 are also submitted to be in condition for allowance.

As such, Applicant requests that the Examiner withdraw the rejections of claims 1, 3, 5, 6, 37 and 39 under 35 U.S.C. §§ 102(e) and 103(a).

DEPENDENT CLAIMS

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendment to the remaining rejected independent claim presented herein and, for at least similar reasons as why this independent claim from which the dependent claims depend is believed allowable as discussed, supra, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael F. Morano", is written over a horizontal line.

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